

# NAVAJO COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 11-95

## A RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS ~~GRANTING/DENYING~~ A CHANGE OF ZONE CLASSIFICATION

The Board of Supervisors of Navajo County does resolve as follows:

**SECTION 1.** The Navajo County Board of Supervisors does hereby declare and determine that the following request for a change of zone was initiated and filed by MOGOLLON AIRPARK PROPERTIES II, that a Public hearing was duly held on the 13TH day of MARCH, 19 95. Notice of the Public Hearing was duly published and the area duly posted in accordance with Article 29, Section 2902 of the Navajo County Zoning Ordinance and ARS §11-829.

**SECTION 2.** The Board of Supervisors, having heard public comment and after due consideration of those facts presented, find that the consideration of public safety, health, general welfare and good zoning practice require the following changes and amendments be made.

**SECTION 3.** The Board of Supervisors hereby ~~GRANT/DENY~~ an amendment to the Navajo County Zoning Ordinance and the Zoning Map referred to herein, so as to change from A-GENERAL to SPECIAL DEVELOPMENT zoning district for the following described property:

**PARCEL B (SEE LEGAL DESCRIPTION ATTACHED). A PART OF PARCELS 206-01-019, 020,021 & 022, T12N-R17E, SECTION 27. THE HEBER/OVERGAARD AREA.**

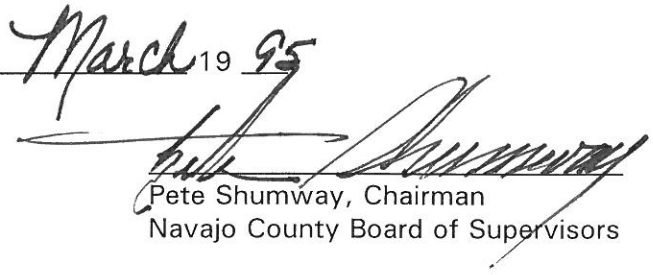
to permit:

**THE INCLUSION OF PARCEL B INTO MOGOLLON AIRPARK UNIT 6 AND THE RECONFIGURATION OF THE LOTS THEREIN**

and those other uses permitted by right in the amended zoning district as described in the Navajo County Zoning Ordinance.

**SECTION 4.** If approved by the Board of Supervisors, the zone change hereby allowed is conditional upon the privileges being utilized within **one (1) year** after the effective date thereof, and if they are not in accordance with the conditions imposed by the board of Supervisors, this authorization may be made void and any privilege, permit or variance granted by deemed to have elapsed at a duly noticed Public Hearing of the Board of Supervisors.

APPROVED AND ADOPTED this 13<sup>th</sup> day of March 19 95

  
Pete Shumway, Chairman  
Navajo County Board of Supervisors

ATTEST:

  
Julia A. Clark  
Clerk of the Board, *Deputy*

***AS APPROVED BY THE BOARD OF SUPERVISORS 3/13/95***

Stipulations

Resolution # 11-95

1. Should the developer decide to have the roadways within the development dedicated as public roadways then all common roadway/taxiway crossings will be signed with appropriate warning signs as prepared by the Developer and approved by the Board of Supervisors and recommended by the County Engineer.
2. Prior to the approval by the board of Supervisors of the Site Plan all drainage easements and their widths shall be delineated and dimensions set on the Site Plan.
3. Maintenance and snow removal of all taxiways, tie down areas and parking lots will be the Developers or Homeowners Associations' responsibility.
4. All easements shown on the Special Development Master Site Plan must be noted on the Site Plan as to function, size and who will be responsible for their maintenance.
5. The Developer shall work with the County Engineer to reach the safest taxiway/roadway crossings design as possible. If the County Engineer does not feel confident that a safe taxiway/roadway is possible then the Developer shall designate all the roadways within this Unit as private roadways and it will be signed as such by the Developer.
6. The Developer shall work with the county Engineer to determine that site distances and visibility is unobstructed at all taxiway/roadway crossings.
7. Even though some drainage easements are shown on the site-plan it may be determined by Staff, after review of the formal drainage study that additional drainage easements, widths for drainage easements and additional pipes or changes in pipe sizes are needed. Thus any additional drainage system requirements shall be shown as such on the tentative and final plats for the project as required.
8. That Tract "B" (taxiway) shall be shown as a continuous Tract and that those areas within Tract "B", where crossed by a public road, will remain as common area as owned by the developments Homeowners Association. Also, those areas of Tract "B", where crossed by a public roadway, shall have a dedicated easement to the public to allow for a roadway crossing, at the prescribed widths as shown on the site plan, and utility corridors. Also, those areas of roadway and utility easement crossings shall have an indemnification agreement which is acceptable to the Navajo County Board of Supervisors between the Homeowners Association and Navajo County which holds Navajo County harmless for incidents occurring within or due to said crossings.

9. That in order for the County to be advised of any changes to the status of the liability insurance for the Homeowners coverage on Tract "B" a breach of warranty agreement needs to be established between the insurance carrier and the County. Also, should the liability insurance coverage cease at any time the site plan would then become void and there would be no further issuance of building permits for the Mogollon Airpark Unit VI development. Therefore, submittal of Proof of Insurance must be submitted annually to the Planning and Building Division of the Department of Public Works. Also, should the liability coverage lapse for the area of crossing of Tract "B" the said crossings will come under County control and will be blocked for access by airplane traffic until the insurance is reinstated.
10. That the Homeowners Association will maintain a \$10 million dollar liability coverage on all common areas of the development. Full disclosure of this will be made to each buyer before a purchase contract is offered. The disclosure information will also be recorded as part of the Covenants, Conditions and Restrictions. A resolution from the current Homeowners Association supporting this action must be provided to Staff before the tentative plat is approved.